

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

United States District Court
Southern District of Texas
FILED

NOV 29 2022

Nathan Ochsner, Clerk

UNITED STATES OF AMERICA

v.

JORGE O'CANA

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CRIMINAL NO. M-22-0915-S1

SEALED SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

Count One

From on or about April 1, 2022 and continuing through at least April 5, 2022, in the Southern District of Texas and within the jurisdiction of the Court, Defendant,

JORGE O'CANA

did knowingly and corruptly attempt to obstruct, influence, and impede an official proceeding, to wit: a proceeding before a federal grand jury in the Southern District of Texas, by informing Antonio Gonzalez, III and Veronica O'Cana of evidence obtained by law enforcement during the course of an bribery investigation into contracts awarded to Performance Services, Inc.; by attempting to influence Antonio Gonzalez, III not to cooperate with law enforcement regarding said investigation; and by informing Antonio Gonzalez, III that Defendant intended to lie to law enforcement regarding payments he received that were related to said investigation.

In violation of Title 18, United States Code, Section 1512(c)(2).

Count Two

On or about January 18, 2018, in the Southern District of Texas and within the jurisdiction of the Court, Defendant,

JORGE O'CANA

knowingly and willfully did use and cause to be used a facility in interstate and foreign commerce namely a cellular phone, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, namely bribery and money laundering, contrary to Texas Penal Code 36.02 and Title 18, United States Code, Sections 666 and 1956, in relation to official action to be taken by the Mission Consolidated Independent School District and thereafter performed and attempted to perform an act to otherwise promote, manage, establish, carry on, or to facilitate the promotion, management, establishment, or carrying on of said unlawful activity.

In violation of Title 18, United States Code, Section 1952(a)(3).

Count Three

From on or about January 18, 2018, and continuing through on or about March 5, 2018, in the Southern District of Texas and within the jurisdiction of the Court, Defendants,

JORGE O'CANA

and

did knowingly combine, conspire, and agree with each other and with other persons known and unknown to the grand jury to commit offenses against the United States in violation of Title 18, United States Code, Section 1956(a)(1), to wit: to knowingly conduct and attempt to conduct a financial transaction which in fact involved the proceeds of specified unlawful activity, that is bribery of a public official, namely a Mission Consolidated Independent School District Board Member, to promote the carrying on of said specified unlawful activity or knowing that the transaction was designed in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of said specified unlawful activity.

In violation of Title 18, United States Code, Section 1956(h).

Count Four

On or about January 31, 2018, in the Southern District of Texas and within the jurisdiction of the Court, Defendant,

knowingly and willfully did use and cause to be used a facility in interstate and foreign commerce namely a cellular phone, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, namely bribery and money laundering, contrary to Texas Penal Code 36.02 and Title 18, United States Code, Sections 666 and 1956, in relation to official action to be taken by the Mission Consolidated Independent School District and thereafter performed and attempted to perform an act to otherwise promote, manage, establish, carry on, or to facilitate the promotion, management, establishment, or carrying on of said unlawful activity.

In violation of Title 18, United States Code, Section 1952(a)(3).

Count Five

On or about April 5, 2022, in the Southern District of Texas and within the jurisdiction of the Court, Defendant,

did knowingly and corruptly attempt to obstruct, influence, and impede an official proceeding, to wit: a proceeding before a federal grand jury in the Southern District of Texas, by attempting to influence Antonio Gonzalez, III to state that bribe payments made to Veronica O'Cana were for real estate or interior design consulting.

In violation of Title 18, United States Code, Section 1512(c)(2).

NOTICE OF FORFEITURE

Pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code Section 981(a)(1)(C), the United States gives notice to defendants,

JORGE O'CANA
and

that in the event of conviction of Counts 2, 3, or 4, the United States intends to seek forfeiture of all property, real or personal, constituting, or derived from, any proceeds the person obtained directly or indirectly, as a result of such violation.

The property subject to forfeiture as to Defendant Jorge O'Cana includes, but is not limited to, the following property: at least \$6,000.00 in United States currency.

The property subject to forfeiture as to Defendant Veronica O'Cana includes, but is not limited to, the following property: at least \$24,000.00 in United States currency.

Money Judgment

Defendants are notified that upon conviction, a monetary judgment may be imposed equal to the total value of the property subject to forfeiture.

Substitute Assets

Defendants are notified that in the event that property subject to forfeiture, as a result of any act or omission of defendant,

- (A) cannot be located upon the exercise of due diligence;
- (B) has been transferred or sold to, or deposited with, a third party;
- (C) has been placed beyond the jurisdiction of the court;
- (D) has been substantially diminished in value; or
- (E) has been commingled with other property that cannot be divided without difficulty,

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the total value of such property pursuant to Title 21, United States Code, Section 853(p), incorporated by reference in Title 28, United States Code, Section 2461(c).

~~FOREPERSON~~

JENNIFER B. LOWERY
UNITED STATES ATTORNEY


ASSISTANT UNITED STATES ATTORNEY